

REMARKS

Claims 1 and 2 are all the claims pending in the application.

Obviousness Rejection over Saito et al.

On page 2 of Office Action, in paragraph 3, Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (US 6,217,166 B1).

The Examiner's position is that Saito et al disclose a method of ink-jet recording on an ink-jet recording sheet having an ink absorbing layer containing polyvinyl alcohol as a hydrophilic binder and boric acid or its salt as a hardening agent, wherein the hardening agent (e.g. boron) may be added into a coating solution, which is then coated on a support (via coating methods known in the art) to form a second ink-absorbing layer adjacent to a first dried ink-absorbing layer; using fine inorganic particles, such as silica, prepared by the gas phase method to fill voids in the ink-absorbing layer; adding a cationic mordant into the ink-absorbing layer to enhance moisture resistant properties; and drying (i.e. curing) the coating layer in example 1. The Examiner also states that Saito et al disclose a high boiling organic solvent such as diethylene glycol (analogous to general formula 1) is included in a water-based recording liquid to prevent the recording sheets from cracking when stored at high humidity and temperature.

Although, in Saito et al., the high boiling organic solvent is included not in the coating solution/layer but in a recording liquid, the Examiner indicates that it would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the high boiling solvent in the coating liquid to obtain an inkjet recording sheet with a resilient, crack resistant, colorant-receiving layer.

Applicants respectfully disagree with the above.

As the Examiner indicates, Saito discloses the method of ink-jet recording using the ink-jet recording sheet having the ink absorbing layer containing polyvinyl alcohol and the boric acid or its salt, the fine inorganic particles, such as silica, prepared by the gas phase method, and the cationic mordant. However, as the Examiner recognizes, in Saito, the high boiling solvent including the compound represented by the formulae (1) and (2) according to the presently claimed invention is included in not the ink absorbing layer but the water-based recording liquid used as ink. Applicants respectfully submit that in view of the purpose and ingredients of the liquid, a coating liquid for forming the ink absorbing layer corresponding to a colorant-receiving layer according to the presently claimed invention is definitely different from the ink. Therefore, there is no motivation to use the compound included in the water-based recording liquid used as ink of Saito et al. in a coating solution for forming the ink absorbing layer of Saito et al.

Moreover, the Examiner states in page 2, line 22 – 25 of the Office Action that the hardening agent may be added into a coating solution, which is then coated on a support (via coating methods known in the art) to form a second ink-absorbing layer adjacent a first dried ink-absorbing layer. However, the solution including a boron compound and a mordant used in the method of presently claimed invention is not used for forming a layer itself because the solution does not include a binder.

Thus, Applicants submit that the invention as recited in the claims 1 and 2 should not be rejected as obvious over Saito et al., and withdrawal of this rejection is respectfully requested.

Double Patenting Rejection

On page 4 of Office Action, Claims 1 and 2 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 20 of Koike et al. U.S. Patent No. 6,777,039.

In response, submitted herewith is a Terminal Disclaimer with respect to U.S. Patent No. 6,777,039, thereby overcoming the obviousness-type double patenting rejection.

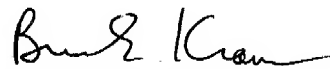
Thus, Applicant submits that the present invention should not be rejected on the ground of nonstatutory obviousness-type double patenting over claim 20 of Koike et al. U.S. Patent No. 6,777,039, and withdrawal of this rejection is respectfully requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Bruce E. Kramer
Registration No. 33,725

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 7, 2008